

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

MAR 06 2001

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BYRON SHANE CHUBBUCK, a/k/a
Blanco, a/k/a "Robin the Hood," and
JAMES THOMPSON, a/k/a "Santiago",

Defendants.

Criminal No. 01-

R. Thompson
CR01-0289BB

Escape, 18 U.S.C. § 751; Bank Robbery,
18 U.S.C. § 2113; Using, Brandishing,
and Carrying a Firearm During a Crime
of Violence, 18 U.S.C. § 924(c);
Concealing Escaped Prisoner, 18 U.S.C.
§ 1072; Felon in Possession of a
Firearm, 18 U.S.C. § 922(g)(1); Aiding
and Abetting, 18 U.S.C. § 2.

INDICTMENT

The Grand Jury charges:

COUNT I

From on or about the 21st day of December, 2000, to on or about the 7th day of February, 2001, in Bernalillo County, in the State and District of New Mexico, and elsewhere, the defendant, **Byron Shane Chubbuck**, did knowingly escape from the custody of the Attorney General and his authorized representative and from custody of the United States Marshal, in which **Byron Shane Chubbuck** was held by virtue of process issued under the laws of the United States by the United States District Court for the District of New Mexico, ordering **Byron Shane Chubbuck** confined by virtue of his lawful arrest for felony offenses, to wit, bank robbery, in violation of 18 U.S.C. § 2113(a), assault upon a federal officer, in violation of 18 U.S.C. § 111(a), and use of a firearm during a crime of violence, in violation of 18 U.S.C. § 924(c).

In violation of 18 U.S.C. § 751.

COUNT II

On or about the 16th day of January, 2001, in Bernalillo County, in the State and District of New Mexico, the defendant, **Byron Shane Chubbuck**, by force and violence, and by intimidation, did unlawfully and intentionally take and attempt to take from the person and presence of another a sum of money belonging to, and in the care, custody, control, management, and possession of the Bank of Albuquerque, 4201 Wyoming NE, Albuquerque, the deposits of which were then and there insured by the Federal Deposit Insurance Corporation.

In violation of 18 U.S.C. § 2113(a).

COUNT III

On or about the 16th day of January, 2001, in Bernalillo County, in the State and District of New Mexico, the defendant, **Byron Shane Chubbuck**, by force and violence, and by intimidation, did unlawfully and intentionally take and attempt to take from the person and presence of another a sum of money belonging to, and in the care, custody, control, management, and possession of Bank of America, 6601 4th Street NW, Albuquerque, the deposits of which were then and there insured by the Federal Deposit Insurance Corporation.

In violation of 18 U.S.C. § 2113(a).

COUNT IV

On or about the 16th day of January, 2001, in Bernalillo County, in the State and District of New Mexico, the defendant, **Byron Shane Chubbuck**, by force and violence, and by intimidation, did unlawfully and intentionally take and attempt to take from the person and presence of another a sum of money belonging to, and in the care, custody, control, management, and possession of the Wells Fargo Bank, 3022 Central SE, Albuquerque, the deposits of which

were then and there insured by the Federal Deposit Insurance Corporation.

In violation of 18 U.S.C. § 2113(a).

COUNT V

On or about the 29th day of January, 2001, in Bernalillo County, in the State and District of New Mexico, the defendant, **Byron Shane Chubbuck**, by force and violence, and by intimidation, did unlawfully and intentionally take and attempt to take from the person and presence of another a sum of money belonging to, and in the care, custody, control, management, and possession of Bank of America, 4301 Wyoming NE, Albuquerque, the deposits of which were then and there insured by the Federal Deposit Insurance Corporation.

In violation of 18 U.S.C. § 2113(a).

COUNT VI

On or about the 30th day of January, 2001, in Bernalillo County, in the State and District of New Mexico, the defendant, **Byron Shane Chubbuck**, by force and violence, and by intimidation, did unlawfully and intentionally take and attempt to take from the person and presence of another a sum of money belonging to, and in the care, custody, control, management, and possession of Bank of Albuquerque, 2274 Wyoming NE, Albuquerque, the deposits of which were then and there insured by the Federal Deposit Insurance Corporation.

In violation of 18 U.S.C. § 2113(a).

COUNT VII

On or about the 30th day of January, 2001, in Bernalillo County, in the State and District of New Mexico, the defendant, **Byron Shane Chubbuck**, by force and violence, and by intimidation, did unlawfully and intentionally take and attempt to take from the person and presence of another a sum of money belonging to, and in the care, custody, control, management,

and possession of Wells Fargo Bank, 11199 Montgomery NE, Albuquerque, the deposits of which were then and there insured by the Federal Deposit Insurance Corporation.

In violation of 18 U.S.C. § 2113(a).

COUNT VIII

On or about the 7th day of February, 2001, in Bernalillo County, in the State and District of New Mexico, the defendant, **Byron Shane Chubbuck**, did knowingly carry, use, and brandish a firearm, to wit, an Intratec 9, Model AB10, Serial Number A029040, during and in relation to a crime of violence for which he may be prosecuted in a court of the United States, namely escape, as charged in Count I of this indictment.

In violation of 18 U.S.C. § 924(c)(1)(A)(i),(ii) and (C)(i).

COUNT IX

On or about the 7th day of February, 2001, in Bernalillo County, in the State and District of New Mexico, the defendant, **Byron Shane Chubbuck**, having been previously convicted of Aggravated Assault (Deadly Weapon) (Firearm Enhancement) which Judgment was filed on September 25, 1989, in Bernalillo County, Second Judicial District Court of the State of New Mexico, in cause number CR 89-00361, Trafficking (By Possession with Intent to Distribute) which Judgment was filed on October 18, 1991, in Bernalillo County, Second Judicial District Court of the State of New Mexico, in cause number CR 90-01408, and Possession of Chemical with Intent to Manufacture a Controlled Substance, which Judgment was filed on February 25, 1993, in the United States District Court, District of New Mexico, in cause number CR 92-335 JP, all crimes punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce a firearm, described as an Intratec 9, Model AB10, Serial Number A029040.

In violation of 18 U.S.C. § 922(g)(1) and § 924(e)(1).

COUNT X


From on or about the 21st day of December, 2000 to on or about the 7th day of February, 2001, in Bernalillo County, in the State and District of New Mexico, and elsewhere, the defendant, **James Thompson**, with knowledge that **Byron Shane Chubbuck** was an escapee, willfully harbored and concealed **Byron Shane Chubbuck**, a prisoner, after his escape from the custody of the Attorney General and his authorized representative and from custody of the United States Marshal, in which Byron Shane Chubbuck was held by virtue of process issued under the laws of the United States by the United States District Court for New Mexico.

In violation of 18 U.S.C. § 1072.

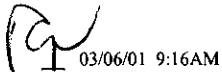
A TRUE BILL:



FOREPERSON OF THE GRAND JURY



NORMAN C. BAY
United States Attorney



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